Government of Kerala
1977

Reg. No. KL/TV/12

162876

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXII] Trivandrum, Wednesday, 27th July 1977 / 5th Sravana 1899 [No. 428

SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. 6877/LA4A/77. *Dated, Trivandrum, 27th July 1977.*

The University Laws (Amendment) Bill, 1977 together with the Statement of Objects and Reasons and the Financial Memorandum is published, under Rule 69 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

Dr. R. PRASANNAN,
Secretary,
Legislative Assembly.

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1977.

33/2601/MC.

Fifth Kerala Legislative Assembly
Bill No. 27

THE UNIVERSITY LAWS (AMENDMENT) BILL, 1977

A

BILL

further to amend the Cochin University Act, 1971, the Kerala University Act, 1974 and the Calicut University Act, 1975.

Preamble.—WHEREAS it is expedient further to amend the Cochin University Act, 1971, the Kerala University Act, 1974, and the Calicut University Act, 1975, for the purposes hereinafter appearing;

BE it enacted in the Twenty-eighth Year of the Republic of India as follows:—

1. *Short title and commencement*.—(1) This Act may be called the University Laws (Amendment) Act, 1977.

(2) The provisions of this Act (except section 5 which shall come into force at once) shall be deemed to have come into force on the 1st day of February, 1976.

2. *Amendment of Act 30 of 1971*.—In section 16 of the Cochin University Act, 1971 (30 of 1971), after sub-section (3), the following sub-section shall be inserted, namely:—

"(3A) Notwithstanding anything contained in the first proviso to sub-section (2), a member of the teaching staff of a constituent college or a recognised institution elected under item (6) under the heading "ELECTED MEMBERS" in section 15 shall not cease to be a member of the Senate merely on the ground that—

(a) he has been promoted as principal; or

(b) he has been transferred to an educational institution within the State, situated beyond the territorial limits of the University.".

3. *Amendment of Act 17 of 1974*.—In the Kerala University Act, 1974 (17 of 1974),—

(a) in section 18, after sub-section (3), the following sub-section shall be inserted, namely:—

"(3A) Notwithstanding anything contained in the first proviso to sub-section (3), a teacher of a Government college elected under

item (5), or a teacher of a private college elected under item (6), under the heading "Elected Members" in section 17 shall not cease to be a member of the Senate merely on the ground that—

(a) he has been promoted as principal; or

(b) he has been transferred to an educational institution within the State, situated beyond the territorial limits of the University.";

(b) section 22 shall be renumbered as sub-section (1) of that section and after sub-section (1) as so renumbered, the following sub-section shall be inserted, namely:—

"(2) Notwithstanding anything contained in the first proviso to sub-section (1), a member of the Syndicate referred to in sub-item (iii) of item (a) under the heading "Other Members" in section 21, who is a teacher of a private college or a Government college shall not cease to be such member merely on the ground that—

(a) he has been promoted as principal; or

(b) he has been transferred to an educational institution within the State, situated beyond the territorial limits of the University.".

4. *Amendment of Act 5 of 1975.*—In the Calicut University Act, 1975 (5 of 1975),—

(a) in section 18, after sub-section (3), the following sub-section shall be inserted, namely:—

"(3A) Notwithstanding anything contained in the first proviso to sub-section (3), a teacher of a Government College elected under item (5), or a teacher of a private college elected under item (6), under the heading "Elected Members" in section 17 shall not cease to be a member of the Senate merely on the ground that—

(a) he has been promoted as principal; or

(b) he has been transferred to an educational institution within the State, situated beyond the territorial limits of the University.";

(b) section 22 shall be renumbered as sub-section (1) of that section and after sub-section (1) as so renumbered, the following sub-section shall inserted, namely:—

"(2) Notwithstanding anything contained in the first proviso to sub-section (1), a member of the Syndicate referred to in sub-item (iii) of item (a) under the heading "Other Members" in section 21.

who is a teacher of a private college or a Government college shall not cease to be such member merely on the ground that—

(a) he has been promoted as principal; or

(b) he has been transferred to an educational institution within the State, situated beyond the territorial limits of the University.".

5. *Restoration of membership.*—Notwithstanding anything contained in any law for the time being in force, a member of the Senate or the Syndicate of the University of Cochin or the University of Kerala or the University of Calicut referred to in sub-section (3A) of section 16 or section 20 of the Cochin University Act, 1971 or in sub-section (3A) of section 18 or sub-section (2) of section 22 of the Kerala University Act, 1974 or in sub-section (3A) of section 18 or sub-section (2) of section 22 of the Calicut University Act, 1975, as the case may be, who has ceased to be a member of such Senate or Syndicate, as the case may be, before the date of publication of this Act in the Gazette, on the ground that—

(a) he has been promoted as principal; or

(b) he has been transferred to an educational institution within the State situated beyond the territorial limits of the University; or

(c) in the case of a member of the Syndicate, he has ceased to be a member of the Senate, on any of the above grounds;

shall be restored to such membership.

STATEMENT OF OBJECTS AND REASONS

The first proviso to sub-section (2) of section 16 of the Cochin University Act, 1971, the first proviso to sub-section (3) of section 18 and the first proviso to section 22 of the Kerala University Act, 1974, and the first proviso to sub-section (3) of section 18 and the first proviso to section 22 of the Calicut University Act, 1975, provide that no member nominated or elected to the Senate or the Syndicate in his capacity as a member of a particular body or as the holder of a particular office shall hold office for a longer period than three months after he has ceased to be such member or holder of such office unless in the meanwhile he again becomes a member of that body or holder of that office.

2. In view of the said provisions, a teacher of a Government college or a private college elected as a member of the Senate or the Syndicate in his capacity as such teacher will lose such membership if he is transferred to a college situated beyond the territorial limits

of the University or if he is promoted as principal. The All Kerala Private College Teachers' Association and the Association of Government College Teachers have represented to the Government for making suitable amendments to the University Acts so that teachers in colleges who are elected to various University Authorities are not deprived of their membership merely on the ground of their transfer to educational institutions beyond the territorial limits of the University. The Kerala and Calicut Universities have also recommended for such amendment.

3. Government consider that the representations of the Association and the recommendation of the Kerala and Calicut Universities are reasonable and accordingly it is proposed to amend the Cochin University Act, the Kerala University Act and the Calicut University Act to provide that a teacher of a Government College or a Private College elected to the Senate or the Syndicate in his capacity as such teacher shall not cease to be a member of the Senate or the Syndicate, as the case may be, merely on the ground that he has been promoted as principal or that he has been transferred to an educational institution within the State situated beyond the territorial limits of the University. It is also considered necessary to provide for the restoration of the membership of teachers who have ceased to be members of the Senate or the Syndicate on any of the above grounds.

4. The Bill is intended for the above purpose.

FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation, would not involve any expenditure from the Consolidated Fund of the State.

C. H. MOHAMMED KOYA

C
Government of Kerala
1977

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXII] Trivandrum, Wednesday, 27th July 1977 / 5th Sravana 1899 [No. 429

SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. 6881/LA5/77. *Dated, Trivandrum, 27th July* 1977.

The Kerala Appropriation (No. 2) Bill, 1977 together with the Statement of Objects and Reasons is published, under Rule 69 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

DR. R. PRASANNAN,
Secretary,
Legislative Assembly.

PRINTED AND PUBLISHED BY THE S.G.P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1977.

33/2606/MC

Fifth Kerala Legislative Assembly

Bill No. 28

THE KERALA APPROPRIATION (No. 2) BILL, 1977

A

BILL

to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the State of Kerala for the services of the financial year commencing on the first day of April, 1977.

Preamble.—WHEREAS it is necessary to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the State of Kerala for the services of the financial year commencing on the first day of April, 1977;

BE it enacted in the Twenty-eighth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Kerala Appropriation (No. 2) Act, 1977.

2. *Withdrawal of Rs.* 7,69,68,06,200 *from and out of the Consolidated Fund of the State of Kerala for the financial year commencing on the first day of April,* 1977.—From and out of the Consolidated Fund of the State of Kerala there may be paid and applied sums not exceeding those specified in column (3) of the Schedule amounting in the aggregate to the sum of seven hundred and sixty-nine crores, sixty-eight lakhs, six thousand and two hundred rupees [which shall be inclusive of the sum of two hundred and fifty-six crores, fifty-six lakhs one thousand and seven hundred rupees specified in section 2 of the Kerala Appropriation (Vote on Account) Act, 1977 (10 of 1977)] towardss defraying the several charges which will come in course of payment during the financial year commencing on the first day of April, 1977, in respect of the services and purposes specified in column (2) of the Schedule.

3. *Appropriation.*—The sums authorised to be paid and applied from and out of the Consolidated Fund of the State of Kerala by this Act shall be appropriated for the services and purposes specified in the Schedule in relation to the aid year.

(1)	(2)		(3)		
			Sums not exceeding		
No. of Vote	Services and purposes		Voted by the Assembly Rs.	Charged on the Consolidated Fund Rs.	Total Rs.
XXVII	Famine	Revenue	60,00,000	..	60,00,000
XXVIII	Co-operation ..	Revenue	2,51,30,500	10,000	2,51,40,500
		Capital	7,79,19,700	..	7,79,19,700
XXIX	Miscellaneous Economic Services	Revenue	12,43,16,400	1,000	12,43,17,400
		Capital	1,03,00,000	..	1,03,00,000
XXX	Agriculture	Revenue	18,17,70,100	1,00,000	18,18,70,100
		Capital	6,32,95,800	2,00,200	6,34,96,000
XXXI	Food	Revenue	1,27,88,000	..	1,27,88,000
		Capital	5,49,55,800	1,00,000	5,50,55,800
XXXII	Animal Husbandry	Revenue	5,23,67,600	10,000	5,23,77,600
		Capital	35,31,100	..	35,31,100
XXXIII	Dairy	Revenue	61,36,800	..	61,36,800
		Capital	52,00,000	..	52,00,000
XXXIV	Fisheries	Revenue	2,49,83,000	15,100	2,49,98,100
		Capital	83,24,800	..	83,24,800
XXXV	Forest	Revenue	8,10,68,600	7,000	8,10,75,600
		Capital	97,15,000	1,000	97,16,000
XXXVI	Community Development	Revenue	7,72,26,600	1,000	7,72,27,600

		Capital	4,20,000	..	4,20,000
XXXVII	Industries	Revenue	3,33,77,200	53,100	3,34,30,300
		Capital	10,80,15,300	2,00,100	10,82,15,400
XXXVIII	Irrigation	Revenue	9,45,21,100	2,000	9,45,23,100
		Capital	31,17,67,300	2,06,000	31,19,73,300
XXXIX	Power	Revenue	5,00,00,100	..	5,00,00,100
		Capital	1,40,49,000	..	1,40,49,000
XL	Port	Revenue	63,29,900	..	63,29,900
		Capital	1,19,06,000	..	1,19,06,000
XLI	Transport	Revenue	80,56,600	..	80,56,600
		Capital	74,00,000	..	74,00,000
XLII	Tourism	Revenue	64,90,400	..	64,90,400
		Capital	11,75,100	..	11,75,100
XLIII	Compensation and Assignments	Revenue	55,00,000	..	55,00,000
	Public Debt repayment	Capital	..	2,35,96,60,200	2,35,96,60,200
XLIV	Contingency Fund	..	..	..	..
XLV	Miscellaneous Loans and Advances	Capital	4,21,50,900	..	4,21,50,900
		Total	4,92,26,25,000	2,77,41,81,200	7,69,68,06,200

STATEMENT OF OBJECTS AND REASONS

The Bill is introduced in pursuance of article 204 of the Constitution of India, to provide for the appropriation out of the Consolidated Fund of the State of Kerala of the moneys required to meet the expenditure charged on the Consolidated Fund and the grants made by the Legislative Assembly in respect of the estimated expenditure of the Government of Kerala for the financial year 1977-78.

M. K. HEMACHANDRAN.